

REMARKS

Claim Rejections – 35 USC § 102

Claims 1-24 were rejected under 35 U.S.C. 102(e) as being allegedly anticipated by Mazzara (U.S. Patent Application Pub. No. 2003/0087642).

Applicant respectfully traverses the rejections.

On page 3 of the Action, the recited limitation “unusable wireless communication system” is equated to a “non-preferred system”. However, these terms are not equivalent. As is clear in the claims, an “unusable wireless communication system” may be a system on the preferred roaming list. After selecting a wireless communication system from the preferred roaming list, it is determined whether the system is unusable, thus some preferred roaming list systems must also be on the unusable system list. An unusable wireless communication system is defined, e.g., in claim 1, as a system with a system identifier in the list of unusable wireless communication systems and a corresponding avoidance criterion which is satisfied. Consequently, a “unusable wireless communication system” is not the same as a “non-preferred system” since the unusable wireless communication system may have a system identifier on the preferred roaming list.

Furthermore, while the Action quotes the claim language describing “the list of unusable wireless communications systems” as including a system identifier and corresponding avoidance criterion for not using the wireless communication system and cites paragraphs 0037, 0052, and 0055, the Action does not cite specific examples of such a list or avoidance criterion. Paragraph 0037 describes a system identifier table with system identifiers and priority, but nothing corresponding to an avoidance criterion. “Priority” does not equate to “avoidance criterion” indicating the system to be unusable because access to a low priority system may still be attempted and the system used if access of higher priority system(s) fail. Paragraph 0052 also refers to a prioritized system access list, but no avoidance criterion. Paragraph 0055 describes preferred and non-preferred system settings, but no list of unusable wireless communication systems.

Applicant does not believe that Mazzara describes a list of unusable wireless communication systems including both system identifiers, which may also be on the preferred roaming list, and corresponding avoidance criterion in paragraphs 0037, 0052,

0057, or any others. It is requested that the examiner specifically identify in Mazzara what are considered to be anticipatory features corresponding to these claim limitations.

For the reasons above, Applicant submits that Mazzara does not describe or teach maintaining a list of unusable wireless communication systems where the list includes system identifiers and corresponding avoidance criterion. Accordingly, Applicant submits that claims 1-24 are allowable.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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